

BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL MEETING
MINUTES
July 17, 2018

The Regular meeting of Mayor and Council was held on the above date in the courtroom of the Borough Hall, 1 State Street, Penns Grove, New Jersey. Meeting was called to order by Mayor John A. Washington, Sr.

Mayor Washington led the Pledge of Allegiance.

Invocation: Reverend DeWitt Timmons.

Roll Call:

Governing Body: Johnson – present, Oliver – absent, Pasquale - present, Poindexter - present, Scott – present, Washington, Jr. – present.

Also attending: Sharon Williams, Ericka Walker, Adam Telsey

COMMITTEE REPORTS:

PARKS & RECREATION/BOARD OF HEALTH: Washington, Jr. addressed/stated the following: Code Enforcement Report for the month of June 2018. Motion to receive and file report by Scott; second Poindexter. All in favor.

BUILDINGS & GROUNDS: Johnson addressed/stated the following: Waiting for grant approval to rehab the Fire Department.

PUBLIC SAFETY: Poindexter addressed/stated the following: Nothing to report.

PUBLIC WORKS/STREETS & ROADS: Oliver addressed/stated the following: No report.

GENERAL GOVERNMENT: Pasquale addressed/stated the following: The need for direct deposit and a new telephone system; Bay Street and Harmony Street in need of pothole repair.

HOUSING/ZONING & CONSTRUCTION/SHADE TREE: Scott addressed/stated the following: Housing Report for the month of June 2018. Motion to receive and file report by Washington; second Pasquale. All in favor.

SOLICITOR’S REPORT: Telsey addressed/stated the following: Nothing to report.

FINANCE OFFICER’S REPORT: Walker addressed/stated the following: Budget Status Expenditure Report.

CHIEF OF POLICE REPORT: Stranahan addressed/stated the following: Report for the month of June 2018.

CHAPLAIN’S REPORT: Reverend DeWitt Timmons addressed/stated the following: No report.

FIRE CHIEF REPORT: Hartsough addressed/stated the following: No report.

MAYOR’S REPORT: Mayor addressed/stated the following: No report.

RESOLUTIONS:

2018-7-92 – A RESOLUTION AUTHORIZING PREMIUM BID TURNOVER TO BOROUGH OF PENNS GROVE

WHEREAS, the Tax Collector for the Borough of Penns Grove, County of Salem, is directed to turn over the premium bid to the Borough of Penns Grove:

<u>Block</u>	<u>Lot</u>	<u>Certificate Number</u>	<u>Amount</u>	<u>Reason</u>
58	12.01	#13-00269	\$900.00	Past the 5 year sale date of 07/01/13

WHEREAS, the amount of \$900.00 and should be issued from the Premium Bid Account to:
 Borough of Penns Grove, 1 State Street, Penns Grove, NJ 08069;
 NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Penns Grove,
 County of Salem a refund should be issued in the amount of \$900.00 from the Premium Bid
 Account.
 BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector and
 the Chief Financial Officer for their record and guidance.
 Motion to adopt by Scott; second Washington. All in favor.

2018-7-93 – RESOLUTION AUTHORIZING THE CANCELLATION OF TAXES
 BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, County of Salem, State of New
 Jersey that the following parcels’ 2nd and 3rd quarter taxes be cancelled due to an In Rem Foreclosure
 final judgment dated April 20, 2018.
 WHEREAS, the properties are as followed:

<u>Block & Lot</u>	<u>Address</u>	<u>Billed Amount</u>
46/2	W Griffith Street	\$ 165.01
47/13.01	12 & 14 N Broad Street	\$ 1893.38
47/15	3 W Main Street	\$ 5523.57
47/16	11 W Main Street	\$ 3752.90
50/16	71 New Street	\$ 1216.42
51/20	142 Denny Avenue	\$ 169.24
56/5	195-197 W Main St	\$ 4385.43
56/6.01	199 W Main Street	\$ 2193.77
56/6.02	5 Delaware Avenue	\$ 80.39
56/12	4,6,8 Penn Street	\$ 615.61
58/27	179 W Main St	\$ 198.86
58/30	11 Penn Street	\$ 1677.59
61/4	Naylor Avenue	<u>\$ 539.46</u>
		\$ 22,411.63

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector and the
 Chief Financial Officer for their records and guidance.
 Motion to adopt by Washington; second Poindexter. All in favor.

2018-7-94 – RESOLUTION AUTHORIZING ELECTRONIC TAX SALE IN ACCORDANCE WITH N.J.S.A 54:5-19.1
 WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations
 promulgated by the Director of the Division of Local Government Services; and
 WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus
 creating the environment for a more complete tax sale process; and
 WHEREAS, N.J.A.C. 5:33-1.1 authorizes a municipality, without a QPA, with an estimated contract
 greater than 2,625.00, to use a quotation process in lieu of the RFP/Public Bid; and
 WHEREAS, upon solicitation of quotations, NJ Tax Lien Investors/RealAuction.com is determined to be the
 most advantageous vendor; and
 WHEREAS, NJ Tax Lien Investors/RealAuction.com, whom conducted the 2016 and 2017 electronic tax
 sale, has a price quotation of \$15.00 per certificate advertised , with \$3,660.00 as 2017’s invoice; and
 WHEREAS, the Borough of Penns Grove wishes to award NJ Tax Lien Investors/RealAuction.com contract
 for electronic tax sale;
 THEREFORE, BE IT RESOLVED, by the Mayor and Council of Penns Grove, County of Salem in New Jersey,
 that the Tax Collector, is hereby authorized to complete an electronic tax sale on October 15, 2018, with
 NJ Tax Lien Investors/RealAuction.com, for 2017 municipal charges.
 BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector and the Chief
 Financial Officer for their record and guidance.
 BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.
 Motion to adopt by Washington; second Poindexter. All in favor.

2018-7-95 – A RESOLUTION AUTHORIZING JOB DESCRIPTION
 WHEREAS, the Borough of Penns Grove (“Borough”) currently employs a Housing Inspector; and
 WHEREAS, the Borough would like to establish a job description for the position of Housing Inspector; and
 WHEREAS, the proposed job description has been attached hereto.
 NOW THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Penns
 Grove that the attached job description for Housing Inspector is hereby approved.
 AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public
 record.
 Motion to adopt by Scott; second Poindexter. All in favor.

2018-7-96 – A RESOLUTION AUTHORIZING THE PURCHASE OF HURST E-TOOLS

WHEREAS, the Borough of Penns Grove will purchase (1) SP 333E2 Spreader Package with charger and (2) EXL Batteries and (1) Hurst S700E2 with EXL Batteries and Charger from an authorized vendor under the State of New Jersey State Contract A80968 and;

WHEREAS, the purchase of goods and services by the local contracting unit is authorized by the Local Public Contract Laws, N.J.S.A. 40 A: 11-12 and;

WHEREAS, Municipal Emergency Services has been awarded New Jersey State Contract No. A80968

WHEREAS, The Finance Officer recommends the utilization of this contact on the grounds that it represents the best price available for this contact and;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the purchase of (1) SP 333E2 Spreader Package with charger and (2) EXL Batteries and (1) Hurst S700E2 with EXL Batteries and Charger from authorized vendor under the State of New Jersey in the amount of \$ 21,650.00.

Motion to adopt by Poindexter; second Scott.

2018-7-97 – RESOLUTION AUTHORIZING CONTRACT TO PROVIDE SECURITY PERSONNEL

WHEREAS, the Borough of Penns Grove ("Borough") has a desire to enter into an agreement with the Penns Grove Housing Authority ("PGHA") for the provision of security personnel to Silver Run and Penn Towers apartment complex during the summer months of 2018; and

WHEREAS, PGHA desires to enter into such an agreement for security personnel; and

WHEREAS, the Borough and PGHA have agreed upon the terms and conditions of a contract for security personnel during the summer months;

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, County of Salem that the Mayor is hereby authorized to execute the Contract between the Borough and PGHA for the provision of security personnel to the Silver Run and Penn Towers apartment complex;

AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

Motion to adopt by Washington; second Poindexter. All in favor.

2018-7-98 – RESOLUTION AUTHORIZING BIDS FOR THE 2017 DOT ROAD PROGRAM

WHEREAS, the Borough of Penns Grove ("Borough") has been approved for the 2017 DOT Road Program for Trumble Avenue and Mary Street; and

WHEREAS, the Borough would like to solicit bids relative to this Program

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove, County of Salem that approval is granted for bids to be solicited in relation to the 2017 DOT Road Program;

AND, BE IT FURTHER RESOLVED, that approval is subject to confirmation of available funding by the Borough CFO; and

AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

Motion to adopt by Pasquale; second Scott. All in favor.

2018-7-99 – RESOLUTION HONORING REVEREND ALEXANDER BENJAMIN

WHEREAS, Saturday, July 7, 2018 is set aside to honor the Reverend Alexander Benjamin for a job done well throughout the years, promoting and preaching the Word of God; and

WHEREAS, Reverend Alexander Benjamin served as Pastor of the Shiloh Baptist Church in Penns Grove, New Jersey, for many years; and

WHEREAS, Reverend Benjamin's ministry is responsible for many of the people of Penns Grove, surrounding towns, including those from other States, in giving their lives over to the Lord, which in turn caused them to not only be blessed, but to become better people; and

WHEREAS, As a result of Reverend Benjamin's ministry, Penns Grove is a better place to live;

NOW, THEREFORE, BE IT RESOLVED, that Mayor John A. Washington, Sr., and the members of Borough Council of the Borough of Penns Grove, hereby express our gratitude to Reverend Alexander Benjamin for his service to the people of our community

Motion to adopt by Washington; second Scott. All in favor.

2018-7-91 – RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Borough Council has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Penns Grove will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

- I. Attorney-Client Privilege/Contractual Matters pursuant to N.J.S.A. 10:4-12b(7) – Discussion regarding contractual matters between the Borough of Penns Grove and River Walk Junction, LLC., as it relates to redevelopment.

FURTHER RESOLVED that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

2018-7-100 – RESOLUTION OF THE BOROUGH OF PENNS GROVE, COUNTY OF SALEM, STATE OF NEW JERSEY, REFERRING THE “AMENDMENT AND SUPPLEMENT TO THE BROAD STREET/AMIN STREET/ROUTE 130 STUDY AREA REDEVELOPMENT PLAN: DEVELOPMENT REGULATIONS FOR THE ‘FLAMEWORKS AT PENNS GROVE’ REDEVELOPMENT DISTRICT” DATED JULY 16, 2018” TO THE PLANNING BOARD OF THE BOROUGH OF PENNS GROVE FOR REVIEW AND COMMENT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ.

WHEREAS, by Resolution the Borough of Penns Grove (the “Borough”) determined that the Broad Street, Main Street, Route 130 Study Area (the “Redevelopment Area”) is an “area in need of redevelopment” in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”) and that certain Remedial Investigation Report approved by the Borough’s Planning Board (the “Planning Board”) on January 17, 2001; and

WHEREAS, by Ordinance, the Borough adopted the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, the Borough Council of the Borough of Penns Grove (the “Council”) has reviewed the Amendment and Supplement to the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan: Development Regulations for the “Flameworks at Penns Grove” Redevelopment District (the “Redevelopment Plan Amendment”) attached as Exhibit A; and

WHEREAS, the Redevelopment Plan Amendment sets forth the use, bulk, intensity of use, and other development standards proposed to be applicable to the redevelopment of the “Flameworks at Penns Grove” Redevelopment District a/k/a the Flameworks Redevelopment District that is located within the Redevelopment Area (the “Flameworks Redevelopment District”) as detailed in the Redevelopment Plan Amendment; and

WHEREAS, the Flameworks Redevelopment District is inclusive of those properties listed in the Redevelopment Plan Amendment; and

WHEREAS, the Council desires that the Planning Board of the Borough of Penns Grove (the “Planning Board”) review the Redevelopment Plan Amendment and, within 45 days of the date of this Resolution, transmit a report to the Council containing the Planning Board’s recommendation concerning the Redevelopment Plan Amendment in accordance with N.J.S.A. 40A:12A-7.e;

NOW, THEREFORE, BE IT RESOLVED by the Council as follows: The Redevelopment Plan Amendment is hereby referred to the Planning Board for review and comment in accordance with the LRHL, specifically N.J.S.A. 40A:12A-7.e.

1. The Planning Board shall review the Redevelopment Plan Amendment and advise the Council whether the Redevelopment Plan is substantially consistent with the Borough’s Master Plan or designed to effectuate the Master Plan.

2. The Township Clerk shall provide a certified copy of this Resolution to all parties of interest.

3. This Resolution shall take effect immediately.

AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

Motion to adopt by Poindexter; second Pasquale. All in favor.

2018-7-101 – RESOLUTION OF THE BOROUGH OF PENNS GROVE, COUNTY OF SALEM, STATE OF NEW JERSEY, CONDITIONALLY DESIGNATING FLAMEWORKS AT PENNS GROVE, LLC AS THE “REDEVELOPER” OF THE FLAMEWORKS REDEVELOPMENT DISTRICT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ.

WHEREAS, by Resolution the Borough of Penns Grove (the “Borough”) determined that the Broad Street, Main Street, Route 130 Study Area (the “Redevelopment Area”) is an “area in need of redevelopment” in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”) and that certain Remedial Investigation Report approved by the Borough’s Planning Board (the “Planning Board”) on January 17, 2001; and

WHEREAS, by Ordinance, the Borough adopted the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, the Borough Council of the Borough of Penns Grove (the “Council”) has reviewed the Amendment and Supplement to the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan: Development Regulations for the “Flameworks at Penns Grove” Redevelopment District (the “Redevelopment Plan Amendment”) attached as Exhibit A; and

WHEREAS, the Redevelopment Plan Amendment sets forth the use, bulk, intensity of use, and other development standards proposed to be applicable to the redevelopment of the “Flameworks at Penns Grove” Redevelopment District a/k/a the Flameworks Redevelopment District that is located within the Redevelopment Area (the “Flameworks Redevelopment District”) as detailed in the Redevelopment Plan Amendment; and

WHEREAS, the Council introduced Ordinance No. _____ dated _____, on first reading at its meeting of July 17, 2018, which Ordinance will implement the Redevelopment Plan Amendment (the “Redevelopment Plan Ordinance”); and

WHEREAS, the Council expects to adopt the Redevelopment Plan Ordinance on second reading and public hearing at its meeting of August 21, 2018; and

WHEREAS, the properties within the Flameworks Redevelopment District are subject to that certain Master Redevelopment Agreement for the “Scattered Site” Overlay District between Penns Grove Scattered Site Rehab, LLC (“PGSSR”) and the Borough of Penns Grove dated November 21, 2017, a copy of which is attached as Exhibit C (the “Redevelopment Agreement”); and

WHEREAS, PGSSR is the owner of certain property within the Flameworks Redevelopment District, which property is intended to be redeveloped in accordance with the Concept Site Plan attached as Exhibit D; and

WHEREAS, PGSSR desires to transfer ownership of the properties that it owns within the Flameworks Redevelopment District to Flameworks at Penns Grove, LLC (the “Redeveloper”); and

WHEREAS, PGSSR desires to assign its right, title, interest and corresponding duties and obligations under the Redevelopment Agreement, all as pertaining to the properties that it owns within the Flameworks Redevelopment District to the Redeveloper (collectively, the “Assignment”); and

WHEREAS, the Borough’s consent to the Assignment is required in accordance with the Redevelopment Agreement;

WHEREAS, the Borough desires by this Resolution to evidence its consent to the Assignment and to conditionally designate the Redeveloper as the “redeveloper” of certain lots within the Flameworks Redevelopment District in order that the Redeveloper may carry out the implementation of the Redevelopment Plan Amendment as to those lots;

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

1. The Borough hereby consents to the Assignment as detailed above.
2. The Redeveloper is hereby conditionally designated as the “redeveloper” of the Lots 1 and 2, Block 43; Lots 1 and 2, Block 44; Lots 11, 12, 13, 13.01, 15, and 16, Block 47; and Lot 9, Block 66 (the “Redeveloper Lots”) in accordance with the LRHL.
3. The designation of the Redeveloper set forth in Paragraph 2 is specifically conditioned on the following:
 - a. The Redevelopment Plan Ordinance being duly adopted by the Borough to create the Flameworks Redevelopment District;
 - b. Borough Council’s consent and approval of the Redeveloper’s conceptual site plan for the redevelopment of the Redeveloper Lots, to be presented to the Borough Council at the Council’s August 21, 2018 meeting;
 - c. Approval by the Borough Council of a form of redevelopment agreement for the redevelopment of the Redeveloper Lots;
 - d. PGSSR and the Redeveloper executing such transactional documents as reasonably required to effectuate the Assignment; and
 - e. PGSSR and the Redeveloper executing such transactional documents as reasonably required to effectuate the transfer of the Redeveloper Lots currently owned by PGSSR to the Redeveloper.
4. Upon the fulfillment of the conditions set forth in Paragraph 3, the designation of the Redeveloper as “redeveloper” of the Redeveloper Lots will no longer be

conditional and the designation of PGSSR as the “redeveloper” of the Redeveloper Lots will be terminated and rescinded in accordance with the LRHL.

5. The Township Clerk shall provide a certified copy of this Resolution to all parties of interest.

6. This Resolution shall take effect immediately.

Motion to adopt by Johnson; second Poindexter. All in favor.

2018-7-102 – RESOLUTION APPROVING TRANSFER OF BOROUGH OWNED PROPERTIES TO REDEVELOPER

WHEREAS, the Borough of Penns Grove and Riverwalk Junction at Penns Grove, LLC have entered into and executed the Amended and Restated Master Redevelopment Agreement “River Walk” Redevelopment Area (the “Agreement”) for the redevelopment of a certain area which is contained within the Amendment and Supplement to the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan; Development Regulations for the “River Walk” Sub-Area; and WHEREAS, the Agreement provides for the Borough of Penns Grove to sell the Properties shown on the tax map of the Borough of Penns Grove as Block 47 Lots 13.01, 15 and 16 to Riverwalk Junction at Penns Grove, LLC; and

WHEREAS, N.J.S.A. 40A:12-13.1(c) allows a municipality to sell property at private sale to a developer so long as the developer is acting in accordance with the Local Redevelopment and Housing Law; and

WHEREAS, Riverwalk Junction at Penns Grove, LLC has been named a redeveloper in the Borough of Penns Grove and the properties are part of an approved Redevelopment Plan and Redevelopment Agreement in accordance with the Local Redevelopment and Housing Law and can therefore be sold privately.

NOW, THEREBY, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the properties shown on the tax map of the Borough of Penns Grove as Block 47 Lots 13.01, 15 and 16, shall be sold to Riverwalk Junction at Penns Grove, LLC for the total sum of \$1.00 and the Mayor is authorized to sign any and all documents to effectuate such sale and transfer of property.

AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

Motion to adopt by Poindexter; second Johnson. Pasquale objected; all others in favor.

ORDINANCES:

2018-8 – AN ORDINANCE ACCEPTING DONATION OF BLOCK 84 LOT 24

WHEREAS, the property shown on the tax map of the Borough of Penns Grove as Block 84 Lot 24 and located at 41 S. Virginia Avenue (the “Property”) is currently owned by FS Properties 159, LLC by way of tax sale foreclosure; and

WHEREAS, FS Properties 159, LLC would like to donate the Property to the Borough of Penns Grove for no charge; and

WHEREAS, the Borough of Penns Grove would like to accept the Property pursuant to N.J.S.A. 40A:12-5; and

WHEREAS, a recent title search of the Property revealed no outstanding liens or encumbrances other than mortgage in favor of the property owner which they have agreed to remove.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penns Grove that the Borough shall accept the donation of Block 84 Lot 24 from FS Properties 159, LLC.

Mayor explained that upon acceptance of the donation, the Borough can then sell to developer who proposes to construct a strip mall.

Motion to open meeting to the public by Washington; second Poindexter. All in favor.

Motion to close meeting to the public by Poindexter; second Scott. All in favor.

Motion to adopt by Washington; second Poindexter. Roll call. All ayes.

2018-9 – AN ORDINANCE REGULATING TEMPORARY STORAGE CONTAINERS

Motion to adopt by title only by Washington; second Poindexter. Roll call. All ayes.

2018-10 – ORDINANCE AMENDING SECTION 206-18 OF THE CODE OF THE BOROUGH OF PENNS GROVE

Motion to adopt by title only by Poindexter; second Scott. Roll call. All ayes.

2018-11 – AN ORDINANCE IMPLEMENTING THE “AMENDMENT AND SUPPLEMENT TO THE BROAD STREET/MAIN STREET/ROUTE 130 STUDY AREA REDEVELOPMENT PLAN: DEVELOPMENT REGULATIONS FOR THE ‘FLAMEWORKS AT PENNS GROVE REDEVELOPMENT DISTRICT’” IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ.

Motion to adopt by Title only by Poindexter; second Washington. All in favor.

OLD/NEW BUSINESS:

Mayor stated that Home Town Press can create a newsletter at no cost to the Borough. The Borough would be responsible for distribution of the newsletter.

Washington suggested earlier meeting time.

CONTRACTS/APPLICATIONS/PERMITS:

Alsheka Ross Stewart: Request Use of Barber Avenue Park: Washington expressed concern over the use of the dirt bikes.

Pasquale questioned who is responsible for cleanup of park; suggested \$25.00 fee and \$50.00 deposit.

Roxanne Johnson: Request for road closure and bouncy house.

Johnson was advised to have letter from property owner.

PAYMENT OF BILLS: Motion to pay all bills signed and audited by Scott; second Pasquale. All in favor.

PUBLIC SESSION: Motion to open meeting to the public by Washington; second Poindexter. All in favor. Carol Mincey, Penn Street, expressed concern regarding a burned property; questioned the need for insurance on 'bounce houses' on private property.

Washington explained requirements provided by Risk Management Consultants.

Mayor Washington addressed the need for Vacant Property Registration. Mayor informed all of company with a quote that is much less than Future Systems.

Richard Lindenmuth, Carneys Point resident, expressed concern that he had been refused his request for copies of certain council meeting minutes have not been provided.

Clerk Williams clarified that, due to the extreme backlog, they had not been drafted. However, he will be contacted as soon as they are drafted.

Lindenmuth questioned the Borough's involvement with a Walnut Street property he recently acquired.

Telsey advised that no discussion will take place regarding the subject.

EXECUTIVE SESSION:

2018-7-91 – A RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Borough Council has determined that it is necessary to go into a closed session to discuss certain matters relating to the items as permitted by N.J.S.A. 10:4-12b;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Penns Grove will go into closed session to discuss the following, in accordance with the aforesaid provisions of the Open Public Meetings Act, after which it will reconvene in the public:

- II. Attorney-Client Privilege/Contractual Matters pursuant to N.J.S.A. 10:4-12b(7) – Discussion regarding contractual matters between the Borough of Penns Grove and River Walk Junction, LLC., as it relates to redevelopment.

FURTHER RESOLVED that the minutes of the closed session will be made available to the public when the need for privacy no longer exists.

Motion to adopt by Poindexter; second Washington. All in favor.

REGULAR SESSION:

2018-7-100 – RESOLUTION OF THE BOROUGH OF PENNS GROVE, COUNTY OF SALEM, STATE OF NEW JERSEY, REFERRING THE "AMENDMENT AND SUPPLEMENT TO THE BROAD STREET/AMIN STREET/ROUTE 130 STUDY AREA REDEVELOPMENT PLAN: DEVELOPMENT REGULATIONS FOR THE 'FLAMEWORKS AT PENNS GROVE' REDEVELOPMENT DISTRICT" DATED JULY 16, 2018" TO THE PLANNING BOARD OF THE BOROUGH OF PENNS GROVE FOR REVIEW AND COMMENT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ.

WHEREAS, by Resolution the Borough of Penns Grove (the "Borough") determined that the Broad Street, Main Street, Route 130 Study Area (the "Redevelopment Area") is an "area in need of redevelopment" in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") and that certain Remedial Investigation Report approved by the Borough's Planning Board (the "Planning Board") on January 17, 2001; and
WHEREAS, by Ordinance, the Borough adopted the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan (the "Redevelopment Plan"); and

WHEREAS, the Borough Council of the Borough of Penns Grove (the "Council") has reviewed the Amendment and Supplement to the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan: Development Regulations for the "Flameworks at Penns Grove" Redevelopment District (the "Redevelopment Plan Amendment") attached as Exhibit A; and

WHEREAS, the Redevelopment Plan Amendment sets forth the use, bulk, intensity of use, and other development standards proposed to be applicable to the redevelopment of the "Flameworks at Penns Grove" Redevelopment District a/k/a the Flameworks Redevelopment District that is located within the Redevelopment Area (the "Flameworks Redevelopment District") as detailed in the Redevelopment Plan Amendment; and

WHEREAS, the Flameworks Redevelopment District is inclusive of those properties listed in the Redevelopment Plan Amendment; and

WHEREAS, the Council desires that the Planning Board of the Borough of Penns Grove (the "Planning Board") review the Redevelopment Plan Amendment and, within 45 days of the date of this Resolution, transmit a report to the Council containing the Planning Board's recommendation concerning the Redevelopment Plan Amendment in accordance with N.J.S.A. 40A:12A-7.e;

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:
The Redevelopment Plan Amendment is hereby referred to the Planning Board for review and comment in accordance with the LRHL, specifically N.J.S.A. 40A:12A-7.e.

1. The Planning Board shall review the Redevelopment Plan Amendment and advise the Council whether the Redevelopment Plan is substantially consistent with the Borough's Master Plan or designed to effectuate the Master Plan.

2. The Township Clerk shall provide a certified copy of this Resolution to all parties of interest.

3. This Resolution shall take effect immediately.

AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

Motion to adopt by Poindexter; second Pasquale. All in favor.

2018-7-101 – RESOLUTION OF THE BOROUGH OF PENNS GROVE, COUNTY OF SALEM, STATE OF NEW JERSEY, CONDITIONALLY DESIGNATING FLAMEWORKS AT PENNS GROVE, LLC AS THE "REDEVELOPER" OF THE FLAMEWORKS REDEVELOPMENT DISTRICT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ.

WHEREAS, by Resolution the Borough of Penns Grove (the "Borough") determined that the Broad Street, Main Street, Route 130 Study Area (the "Redevelopment Area") is an "area in need of redevelopment" in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL") and that certain Remedial Investigation Report approved by the Borough's Planning Board (the "Planning Board") on January 17, 2001; and

WHEREAS, by Ordinance, the Borough adopted the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan (the "Redevelopment Plan"); and

WHEREAS, the Borough Council of the Borough of Penns Grove (the "Council") has reviewed the Amendment and Supplement to the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan: Development Regulations for the "Flameworks at Penns Grove" Redevelopment District (the "Redevelopment Plan Amendment") attached as Exhibit A; and

WHEREAS, the Redevelopment Plan Amendment sets forth the use, bulk, intensity of use, and other development standards proposed to be applicable to the redevelopment of the "Flameworks at Penns Grove" Redevelopment District a/k/a the Flameworks Redevelopment District that is located within the Redevelopment Area (the "Flameworks Redevelopment District") as detailed in the Redevelopment Plan Amendment; and

WHEREAS, the Council introduced Ordinance No. _____ dated _____, on first reading at its meeting of July 17, 2018, which Ordinance will implement the Redevelopment Plan Amendment (the “Redevelopment Plan Ordinance”); and

WHEREAS, the Council expects to adopt the Redevelopment Plan Ordinance on second reading and public hearing at its meeting of August 21, 2018; and WHEREAS, the properties within the Flameweorks Redevelopment District are subject to that certain Master Redevelopment Agreement for the “Scattered Site” Overlay District between Penns Grove Scattered Site Rehab, LLC (“PGSSR”) and the Borough of Penns Grove dated November 21, 2017, a copy of which is attached as Exhibit C (the “Redevelopment Agreement”); and

WHEREAS, PGSSR is the owner of certain property within the Flameweorks Redevelopment District, which property is intended to be redeveloped in accordance with the Concept Site Plan attached as Exhibit D; and

WHEREAS, PGSSR desires to transfer ownership of the properties that it owns within the Flameweorks Redevelopment District to Flameweorks at Penns Grove, LLC (the “Redeveloper”); and

WHEREAS, PGSSR desires to assign its right, title, interest and corresponding duties and obligations under the Redevelopment Agreement, all as pertaining to the properties that it owns within the Flameweorks Redevelopment District to the Redeveloper (collectively, the “Assignment”); and

WHEREAS, the Borough’s consent to the Assignment is required in accordance with the Redevelopment Agreement;

WHEREAS, the Borough desires by this Resolution to evidence its consent to the Assignment and to conditionally designate the Redeveloper as the “redeveloper” of certain lots within the Flameweorks Redevelopment District in order that the Redeveloper may carry out the implementation of the Redevelopment Plan Amendment as to those lots;

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

1. The Borough hereby consents to the Assignment as detailed above.
 2. The Redeveloper is hereby conditionally designated as the “redeveloper” of the Lots 1 and 2, Block 43; Lots 1 and 2, Block 44; Lots 11, 12, 13, 13.01, 15, and 16, Block 47; and Lot 9, Block 66 (the “Redeveloper Lots”) in accordance with the LRHL.
 3. The designation of the Redeveloper set forth in Paragraph 2 is specifically conditioned on the following:
 - a. The Redevelopment Plan Ordinance being duly adopted by the Borough to create the Flameweorks Redevelopment District;
 - b. Borough Council’s consent and approval of the Redeveloper’s conceptual site plan for the redevelopment of the Redeveloper Lots, to be presented to the Borough Council at the Council’s August 21, 2018 meeting;
 - c. Approval by the Borough Council of a form of redevelopment agreement for the redevelopment of the Redeveloper Lots;
 - d. PGSSR and the Redeveloper executing such transactional documents as reasonably required to effectuate the Assignment; and
 - e. PGSSR and the Redeveloper executing such transactional documents as reasonably required to effectuate the transfer of the Redeveloper Lots currently owned by PGSSR to the Redeveloper.
 4. Upon the fulfillment of the conditions set forth in Paragraph 3, the designation of the Redeveloper as “redeveloper” of the Redeveloper Lots will no longer be conditional and the designation of PGSSR as the “redeveloper” of the Redeveloper Lots will be terminated and rescinded in accordance with the LRHL.
 5. The Township Clerk shall provide a certified copy of this Resolution to all parties of interest.
 6. This Resolution shall take effect immediately.
- Motion to adopt by Johnson; second Poindexter. All in favor.

2018-7-102 – RESOLUTION APPROVING TRANSFER OF BOROUGH OWNED PROPERTIES TO REDEVELOPER

WHEREAS, the Borough of Penns Grove and Riverwalk Junction at Penns Grove, LLC have entered into and executed the Amended and Restated Master Redevelopment Agreement “River Walk” Redevelopment Area (the “Agreement”) for the redevelopment of a certain area which is contained within the Amendment and Supplement to the Broad Street/Main Street/Route 130 Study Area Redevelopment Plan; Development Regulations for the “River Walk” Sub-Area; and

WHEREAS, the Agreement provides for the Borough of Penns Grove to sell the Properties shown on the tax map of the Borough of Penns Grove as Block 47 Lots 13.01, 15 and 16 to Riverwalk Junction at Penns Grove, LLC; and

WHEREAS, N.J.S.A. 40A:12-13.1(c) allows a municipality to sell property at private sale to a developer so long as the developer is acting in accordance with the Local Redevelopment and Housing Law; and

WHEREAS, Riverwalk Junction at Penns Grove, LLC has been named a redeveloper in the Borough of Penns Grove and the properties are part of an approved Redevelopment Plan and Redevelopment Agreement in accordance with the Local Redevelopment and Housing Law and can therefore be sold privately.

NOW, THEREBY, BE IT RESOLVED by the Mayor and Council of the Borough of Penns Grove that the properties shown on the tax map of the Borough of Penns Grove as Block 47 Lots 13.01, 15 and 16, shall be sold to Riverwalk Junction at Penns Grove, LLC for the total sum of \$1.00 and the Mayor is authorized to sign any and all documents to effectuate such sale and transfer of property.

AND, BE IT FURTHER RESOLVED, that the Clerk certify a copy of this Resolution and file it on the public record.

Motion to adopt by Poindexter; second Johnson. Pasquale objected. All others in favor.

2018-11 – AN ORDINANCE IMPLEMENTING THE “AMENDMENT AND SUPPLEMENT TO THE BROAD STREET/MAIN STREET/ROUTE 130 STUDY AREA REDEVELOPMENT PLAN: DEVELOPMENT REGULATIONS FOR THE ‘FRAMEWORKS AT PENNS GROVE REDEVELOPMENT DISTRICT’” IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET. SEQ.

Motion to adopt by title only by Poindexter; second Washington. Roll call. All ayes.

Motion to employ Robert Frett as Booking Clerk by Poindexter; second Scott. All in favor.

ADJOURNMENT: Motion to adjourn by Poindexter; second Scott. All in favor.

Respectfully Submitted,

Sharon R. Williams, R.M.C.
Municipal Clerk

MINUTES ARE NOT VERBATIM. AUDIO RECORDING ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK